

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

E-Filed on 11/19/07

1 3993 Howard Hughes Parkway, Suite 600  
2 Las Vegas, NV 89169-5996  
3 Facsimile (702) 949-8321  
4 Telephone (702) 949-8320

5 Susan M. Freeman AZ State Bar No. 004199  
6 Email: sfreeman@lrlaw.com  
7 Rob Charles NV State Bar No. 006593  
8 Email: rcharles@lrlaw.com  
9 John C. Hinderaker AZ State Bar No. 18024  
10 Email: jhinderaker@lrlaw.com

11 Attorneys for USACM Liquidating Trust

12 **UNITED STATES BANKRUPTCY COURT**  
13 **DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

17 USA CAPITAL REALTY ADVISORS, LLC,

18 USA CAPITAL DIVERSIFIED TRUST DEED  
19 FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,  
LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING  
TENTH OMNIBUS OBJECTION OF  
USACM LIQUIDATING TRUST TO  
PROOFS OF CLAIM FOR LACK OF  
DOCUMENTATION WITH  
CERTIFICATE OF SERVICE**

Hearing Date: December 20, 2007  
Hearing Time: 9:30 a.m.

20 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM**  
21 **THAT YOU FILED. THE DEADLINE TO RESPOND TO THE OBJECTION IS**  
22 **DECEMBER 13, 2007. PLEASE DO NOT CONTACT THE CLERK OF THE**  
23 **BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.**  
24 **QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A**  
25 **CLAIM SHOULD BE DIRECTED TO THE UNDERSIGNED COUNSEL.**

26 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1 through its counsel, has filed an Omnibus Objection to your claim filed in USA  
2 Commercial Mortgage Company, Case No. 06-10725 on the ground that it lacks  
3 supporting documentation. Your Proof of Claim number and other information regarding  
4 your claim is listed on Exhibit A, attached.

5 The USACM Liquidating Trust has requested that this Court enter an order,  
6 disallowing your claim as to USA Commercial Mortgage Company.

7 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
8 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
9 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
10 **December 20, 2007, at the hour of 9:30 a.m.**

11 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**  
12 **DECEMBER 20, 2007, WILL BE HELD FOR THE PURPOSE OF STATUS**  
13 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
14 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

15 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed  
16 by **December 13, 2007** pursuant to Local Rule 3007(b), which states:

17 If an objection to a claim is opposed, a written response must be filed and  
18 served on the objecting party at least 5 business days before the scheduled  
19 hearing. A response is deemed sufficient if it states that written  
20 documentation in support of the proof of claim has already been provided to  
the objecting party and that the documentation will be provided at any  
evidentiary hearing or trial on the matter.

21 If you object to the relief requested, you *must* file a **WRITTEN** response to  
22 this pleading with the Court. You *must* also serve your written response on  
the person who sent you this notice.

23 If you do not file a written response with the Court, or if you do not serve  
24 your written response on the person who sent you this notice, then:

25 • The Court may *refuse to allow you to speak* at the scheduled hearing;  
and

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1           • The Court may *rule against you* without formally calling the matter at  
2           the hearing.

3           Dated: November 19, 2007.

4  
5           **LEWIS AND ROCA LLP**

6  
7           By: /s/ RC (#6593)

8           Susan M. Freeman, AZ 4199 (*pro hac vice*)

9           Rob Charles, NV 6593

10           John C. Hinderaker 18024

11           3993 Howard Hughes Parkway, Suite 600

12           Las Vegas, Nevada 89169-5996

13           Facsimile (702) 949-8321

14           Telephone (702) 949-8320

15           *Counsel for USACM Liquidating Trust*

16           Copy of the foregoing mailed on  
17           November 19, 2007 to the Claimants  
18           listed on Exhibit A, attached.

19           /s/ Christine E Laurel

20           Lewis and Roca LLP

21

22

23

24

25

26